

Notice of Allowability

Application No.

09/994,368

Applicant(s)

GERACE ET AL.

Examiner

Doug Hutton

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Continued Examination filed 6 October 2005.
2. ☒ The allowed claim(s) is/are 1-5, 7-19, 21-32, 34-44 and 46-53.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Doug Hutton
Examiner
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Arthur A. Gasey on 10 November 2005.

The application has been amended as follows:

In the Claims:

➤ amend Claim 1 to:

1. (currently amended) In a network of computers, a method of generating a hyperlink on a web page on a client computer, comprising the steps of:

- sending through the network a request having an input set of hyperlink parameters, the input set including indications of a merchant, an associated affiliate site and an affiliate-selected link; and
- in response to said request, receiving a response comprising:
 - preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink

comprises computer usable or execution ready code necessary to execute each said hyperlink.

➤ amend Claim 15 to:

15. (currently amended) A computer system for generating hyperlinks on a web page on a client computer, comprising:

- a client computer configured for communication in a network of computers; and
- a processor routine executing on said client computer, said processor routine:
 - sending through the network a request having an input set of hyperlink parameters, the input set including indications of a merchant, an associated affiliate site and an affiliate-selected link; and
 - in response to said request, receiving a response comprising:
 - preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink.

➤ amend Claim 29 to:

29. (currently amended) A method of delivering hyperlink generation information from a server computer, comprising the steps of:

- receiving a request having an input set of hyperlink parameters, the input set including indications of a merchant, an associated affiliate site and an affiliate-selected link; and
- in response to said request, sending a response comprising:
 - o preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink.

➤ amend Claim 41 to:

41. (currently amended) A system for delivering hyperlink information from a server computer, comprising:

- a server computer; and
- a server process executing on said server computer for:
 - o receiving a request containing an input set of hyperlink parameters, the input set including indications of a merchant, an associated affiliate site and an affiliate-selected link; and
 - o in response to said request, sending a response comprising:
 - preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one

hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink.

➤ amend Claim 53 to:

53. (currently amended) In a network of computers, a method of generating a hyperlink on a desired Web page, comprising the steps of:

- sending through the network[[,]] a request having an input set of hyperlink parameters, the input set including any combination of indications of ~~type of a~~ hyperlink data request, a user, a merchant, an affiliate site associated with the merchant and an affiliate-selected link; and
- in response to said request, generating a response comprising ~~any combination~~ of:
 - an output set of hyperlink parameters, the output set including any of a merchant identifier, an affiliate site identifier and link names; and
 - preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink.

Allowable Subject Matter

Claims 1-5, 7-19, 21-32, 34-44 and 46-53 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1, 15, 29, 41 and 53:

The closest prior art is Bezos (U.S. 6,029,141). Bezos discloses an Internet-based customer referral system that enables approved individuals and other business entities (i.e., "associates") to include, on the associate's web page, hyperlinks to a merchant's website. Before becoming an associate, a prospective associate must submit an online application to the merchant's website. The application comprises various information input into the application by the prospective associate. The information includes personal info, contact info, a description of the prospective affiliate's website and a description of the types of books to be listed on the prospective affiliate's website. Upon approval, the customer referral system sends to the associate instructions indicating ***how to create HTML referral links*** to the merchant's website on the associate's website.

However, Bezos fails to disclose or suggest sending to a user the ***actual computer-usable, execution-ready code*** that is necessary to execute a hyperlink. As indicated by Applicant in the response dated 6 October 2005, the heart of the present invention is the automatic provision of ***preformatted, execution-ready hyperlink code*** for a hyperlink of interest to a web page designer (see *Response* – Page 10, first

paragraph). Also, Bezos allows a user to enroll as an associate with ***only a single merchant*** (Amazon.com), whereas the present invention allows a user to select hyperlinks from a ***plurality of merchants*** for inclusion into the user's web page.

As a whole, the prior art fails to disclose or suggest a computer-implemented method of generating hyperlinks on a web page, comprising the steps of:

- sending a request comprising an input set of hyperlink parameters, wherein the parameters include indications of:
 - merchants,
 - an associated affiliate site, and
 - an affiliate-selected link; and
- in response to the request, receiving a response comprising preformatted data having computer-usable or execution-ready code necessary to execute each hyperlink.

Accordingly, Claims 1, 15, 29, 41 and 53 are allowed.

Claims 2-5, 7-14, 16-19, 21-28, 30-32, 34-40, 42-44 and 46-52:

These claims are dependent upon Claims 1, 15, 29 and 41 and are thus allowable.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH
November 11, 2005

A handwritten signature in black ink, appearing to read "D. Hutton", with a stylized, sweeping flourish extending to the right.

**DOUG HUTTON
PATENT EXAMINER
TECH CENTER 2100**